

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

RICHARD LEE WANN, )

Plaintiff, )

v. )

No. 4:18 CV 833 CDP

OHIO CASUALTY INSURANCE )  
COMPANY, et al., )

Defendants. )

**MEMORANDUM AND ORDER**

Invoking this Court’s diversity jurisdiction under 28 U.S.C. § 1332, plaintiff Richard Lee Wann brings this action against several defendants raising several state law claims. He also seeks relief “in the name of the State of Missouri” for alleged violations of Missouri law. I recently ordered Wann to file an amended complaint to cure several defects regarding the citizenship of all parties named in the action. I cautioned Wann that failure to cure these defects would result in the dismissal of this action without prejudice. Wann has filed his amended complaint, but my review shows that it continues to fail to adequately allege diversity jurisdiction. I will therefore dismiss the case without prejudice.


Wann continues to fail to adequately allege the citizenship of several parties, including defendant Sheila Bridges and newly-added defendant Liberty Mutual Group, Inc. Further, Wann makes a confusing averment that defendant Farmington

Missouri Hospital Corporation merged with an LLC, which is the “surviving company,” but makes no assertion regarding the citizenship of any LLC members. Finally, Wann brings this action as an individual and also “in the name of the State of Missouri.” But because several defendants are alleged to be citizens of Missouri, it would appear that complete diversity between the parties is nevertheless lacking regardless.

The burden of establishing federal court jurisdiction rests with Wann, the party asserting such jurisdiction. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). I am not satisfied that Wann has met his burden here.

Accordingly,

**IT IS HEREBY ORDERED** that this action is dismissed without prejudice for lack of subject-matter jurisdiction.

  
\_\_\_\_\_  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of June, 2018.